



CITY OF SOMERSWORTH

Office of the City Manager

TO: Mayor Matthew Spencer and City Council Members

FROM: Robert M. Belmore, City Manager

DATE: Friday, August 9, 2013

SUBJECT: City Manager's Report for Monday August 12, 2013
City Council Agenda

Communications (under Section 6 of Agenda)

A. Letter from Jeni Mosca, Superintendent of Schools.

B. Letter from Denis and Cheryl Moore, Jackie and Bob Borghoff. Attached is a copy of an email from Director Sharples regarding an illegal third unit. Any sale of the property should contain a condition that the property may only be used as a duplex. Obviously, these comments do not address this request that the property be restricted to a single family use.

Unfinished Business (under Section 13 of Agenda)

Resolutions:

A. Resolution No. 1-14 Authorizing the City Manager to Sell City Tax Deeded Property at 425 Main Street, and 213 West High Street. There is another agenda item that requests authorization to rent 425 Main Street property on a month-to-month basis. City Attorney Mitchell, Finance Director Smith and I have worked together to structure this proposed rental agreement. These individuals are interested in purchasing the property and the rental agreement would allow them to continue to board their horses on this property.

The Finance Committee supports passage of this Resolution.

B. Resolution No. 2-14 Election to Exclude Remuneration Paid to Election Officials and Election Workers from the Social Security and Medicare Tax to the Maximum Amount Allowable by Law. The Finance Committee recommends full Council support. I believe the Resolution's language outlines the intent of this administrative action recommended by staff.

- C. Resolution No. 3-14 To Notify the City Tax Collector that the City Council Shall not Accept a Tax Deed on Certain Property Subject to an Unredeemed Tax Lien, said Property Formerly Know as Breton's Cleaners Located at 1 Winter Street.** This is the former Breton's Cleaners contaminated site that is under a NH DES clean-up mandate. Please note the City would retain the option to accept this deed at any time.

New Business (under Section 14 of Agenda)

Ordinances:

- A. Ordinance No. 1-14 Amend Chapter 13, Police Offenses, Section 3.1.G Permit and Reserved Parking and Section 3.1.F.6 Time Limited Parking, All Day.**
- B. Ordinance No. 2-14 Amend Chapter 13, Police Offenses, Section 3.1.G Permit and Reserved Parking Section 3.1.F.3 One Hour Parking, Section 3.1.F.2 Two Hour Parking, and Section 3.1.D No Parking.**
- C. Ordinance No. 3-14 Amend Chapter 13, Police Offenses, Section 3.1.G Permit and Reserved Parking.**
- D. Ordinance No. 4-14 Amend Chapter 13, Police Offenses, Section 3.1.G, Permit and Reserved Parking.**

These Police Offense Ordinances involve proposed changes that are the result of discussions held at the City Council's annual goal setting session, discussions with certain Council Standing Committee/s, and discussions regarding the downtown bond infrastructure project. These proposed changes involve parking regulations along public ways and parking in the city owned parking lot behind the former Nard's building off Constitutional Way. I recommend the Council hold a public hearing on one or all of these proposals prior to the next regular Council meeting on Tuesday, September 3. This might delay the implementation of the one-way traffic pattern on Constitutional Way until early September, however it may be better to provide more notice to ensure those businesses affected have all been given ample time to make adjustments. I also want to point out that I have attached a letter from the Coolidge Law firm that raises an objection to any closure of the curb cut off Constitutional Way which serves the Washington Street Plaza.

Resolutions:

- A. Resolution No. 4-14 To Notify the City Tax Collector that the City Council shall not Accept a Tax Deed on Certain Properties Subject to an Unredeemed Tax Lien.** These are manufactured housing units. The Finance Committee recommends approval of this Resolution. On the recommendation of the Finance Committee, staff will be moving forward to accept tax deeds on four (4) similar manufactured housing unit properties. I have attached copies of information provided to the Finance Committee on all the mobile homes subject to deeding.

- B. Resolution No. 5-14 Resolution No. 5-14 To Authorize the City Manager to Contract with N. Pandelena Construction Co., Inc. of Hampstead, NH for the Construction of the Downtown Improvement Project.** Attached are copies of information provided to the Public Works & Environment and Finance Committees at their August 7th meeting. Our Project Engineers, HTA, recommend awarding the project to the low bidder, N. Pandelena Construction. I have attached HTA Engineers' letter of recommendation to award the project to this company.

Please consider suspending City Council rules to take action this evening on Resolution No. 5-14 and Resolution No. 6-14.

- C. Resolution No. 6-14 To Authorize the City Manager to Contract with Hoyle, Tanner and Associates, Inc. of Portsmouth, NH for Construction Administration and Inspection Services Associated with the Downtown Improvement Project.** Originally, the contract amount was approximately \$417,000, however, the recommendation is to include another 10% in contingency for additional on-site inspections should more inspections be necessary. Attached is a copy of a letter from HTA Engineers that spells out their inability to gain the cooperation of Fairpoint for this project. I have moved forward with City Attorney to attempt to develop Fairpoint's prompt cooperation.

The Public Works & Environment and Finance Committee both support passage of this Resolution.

- D. Resolution No. 7-14 Authorizing the City Manager to Contract with Liberty International of Manchester, NH for the Purchase of a Combination Plow Truck.** This purchase was discussed with Council Committees on August 7th. The purchase would be made through the state bid process. The Council approved \$7,500 in this fiscal year's Capital Outlay budget for this lease purchase. Please consider waiving Council rules so that the purchase order can be issued.

Other:

- A. Vote to Authorize the City Manager to Sign a Purchase and Sales Agreement with MCS Development Corporation, LLC for the Purchase of the Former Police Station, Land and Building Located at 5 Main Street, Tax Map 11, Lot 210, for \$60,000 and to Take any Further Action Required in the Best Interest of the City to Effectuate the Final Purchase.** I have attached a copy of a "Draft" Purchase & Sales agreement. As you know, the City Council did pass a supplemental appropriation earmarked for this purchase.
- B. Vote to Authorize the City Manager to Enter into a Month-to-Month Rental Agreement with Stephanie Shaines and Daniel Wallace of 67 Portland Avenue, Dover, NH, for City Owned Property Located at 425 Main Street Under Terms that are Deemed to Be in the Best Interest of the City.** City Attorney, Finance Director Smith and I have worked together to structure this proposed rental agreement. These individuals are interested in purchasing the property and the rental agreement would allow them to continue to board their horses on this property. Attached is a "Draft" copy of the proposed rental agreement.

- C. Vote to Authorize the City Manager to Dispose of Certain Surplus City Owned Vehicles, Rolling Equipment and Related Surplus Parts.** The City's Administrative Code (Chapter 29) authorizes the City Manager to dispose of property valued up to \$1,000. I have attached a copy of the inventories of surplus equipment, parts and vehicles that staff has deemed surplus. All departments including the School department have reviewed the lists.

City Manager's Items (under section 10 of Agenda)

A. Informational Items:

- 1. Landfill Site Work.** Attached is a copy of the Geosyntec pre-construction meeting minutes that was held on August 5th. As you may recall, the City is under an EPA directive to replenish soil cover to the former sanitary landfill site that was the former St. Laurent Park recreational area. The contractor plans to start work on Monday, August 19th and will take 3-5 days to complete, weather dependent.
- 2. RFP-Architect/Engineering Services.** The City is soliciting proposals for Architect/Engineering Services to complete improvements to the former Hilltop Elementary School building. Proposals are due by August 15th. Staff placed an ad in the Union Leader and mailed requests to over twenty (20) companies and clearing agencies.
- 3. Local Government Center – Return of Surplus.** Attached is a memorandum from Finance Director Smith that provides the expected LGC surplus return numbers for prior calendar years 2010-2011. Although we have received one check, the remaining balance is scheduled to be received later this month. There is pending litigation involving LGC that may interfere with this refund schedule. As you can see, the City may eventually receive \$235,821. A portion of the funds would be returned to employees and the balance to the City's General Fund.

B. Attachments:

- 1.** City Attorney Certifications (6)
- 2.** Department Head Reports.